IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 18541 of 2007(G)

PETITIONER:

MARY STEPHEN, AGED 55 YEARS,
W/O.STEPHEN, PATTASSERY HOUSE, KUREEKKADU KARA,
KUREEKADU VILLAGE, KANAYANNUR TALUK, ERNAKULAM.

BY ADV. SRI.V.GOPIKRISHNA

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, LOCAL SELF GOVERNMENT,
THIRUVANANTHAPURAM.

2. THE EXECUTIVE ENGINEER, ERNAKULAM
DIVISION, KERALA PUBLIC WORKS DEPARTMENT.

3. CHOTTANIKKARA GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, CHOTTANIKKARA.

BY ADV. SRI.S.SREEKUMAR
BY GOVT.PLEADER SRI. MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No.18541 of 2007

- -

Dated this the 25th day of June, 2007

JUDGMENT

Petitioner challenges Ext.P6. Ext.P6 is issued by the Secretary of the third respondent Panchayat calling upon the petitioner to demolish a portion of the construction made in violation of the stipulation to leave three meters. There is no dispute that the petitioner has an alternate remedy against Ext.P6. Counsel for the petitioner submits that the petitioner will prefer an appeal within a period of one week from today.

In such circumstances, the writ petition is disposed of relegating the petitioner to pursue the appellate remedy. In order to enable the petitioner to pursue the same, Ext.P6 shall be kept in abeyance for a period of two weeks from today.

(K.M. JOSEPH, JUDGE)

sb